

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JESSIE WILLIAMS,

Plaintiff,

v.

C.O. STANIEC,

Defendant.

ORDER

12-cv-691-bbc

Plaintiff Jessie Williams, a prisoner at the Waupun Correctional Institution in Waupun, Wisconsin, has submitted a proposed complaint. He requests leave to proceed *in forma pauperis*. A decision on the request will be delayed until plaintiff pays an initial partial payment of the \$350 filing fee as required by 28 U.S.C. § 1915(b) and the 1996 Prison Litigation Reform Act. Plaintiff's initial partial payment cannot be calculated at this time because he has not submitted a trust fund account statement with his complaint.

Plaintiff's complaint was filed on September 18, 2012. His trust fund account statement should cover the six-month period beginning approximately March 18, 2012 and ending approximately September 18, 2012. Once plaintiff has submitted the necessary statement, I will calculate his initial partial payment and advise him of the amount he will have to pay before the court can screen the merits of his complaint under 28 U.S.C. § 1915(e)(2). Plaintiff should show a copy of this order to prison officials to insure that they are aware they should send a copy of plaintiff's six-month trust fund account statement to this court.

One additional matter requires attention. The complaint submitted by plaintiff is not signed as required by Fed. R. Civ. P. 11. If plaintiff wishes to continue with this lawsuit he will be required to file a signed complaint with the court. Accordingly, a copy of the complaint is

being returned to plaintiff with his copy of this order so that he may sign and return it to this court not later than October 16, 2012.

ORDER

IT IS ORDERED that

1. Plaintiff Jessie Williams may have until October 16, 2012, in which to file a signed copy of his complaint, dkt. #1.

2. Plaintiff may have until October 16, 2012, in which to submit a certified copy of his trust fund account statement for the period beginning approximately March 18, 2012 and ending approximately September 18, 2012.

3. If, by October 16, 2012, plaintiff fails to file a signed copy of his complaint and submit the necessary trust fund account statement or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 24th day of September, 2012.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge